

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KENNETH R. PARRISH,

Plaintiff,

v.

DEBORAH MCCULLOCH and
WILLIAM PARKER,

Defendants.

ORDER

12-cv-280-bbc

On April 23, 2012, I ordered plaintiff Kenneth Parrish to submit, by May 14, 2012, a certified copy of his six-month resident account statement so that I can determine whether he qualifies for indigent status and, if he does, calculate an initial partial payment of the \$350 fee for filing this case. The court did not receive the account statement from plaintiff by the May 14 deadline and closed the case. Now plaintiff has filed a letter stating that he had never received the order directing him to submit a certified copy of a six-month resident account statement. Plaintiff has also submitted the requested statement. Accordingly, I will calculate plaintiff's initial partial payment, and upon receipt of that payment, reopen his case. From the resident account statement plaintiff has submitted, I calculate his initial partial payment to be \$9.60. Plaintiff should show a copy of this order to treatment facility officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

Once plaintiff pays the amount I have determined he is able to prepay, that is just the first step in obtaining leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. After the court receives his payments, the court will take plaintiff's complaint under advisement for a determination under § 1915(e)(2) whether his action or any portion of it must be dismissed as

frivolous or malicious, for failure to state a claim on which relief may be granted or because plaintiff seeks monetary relief against a defendant who is immune from such relief.

ORDER

IT IS ORDERED that plaintiff Kenneth Parrish is assessed \$9.60 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$9.60 on or before June 22, 2012. Upon receipt of the initial partial payment, this case will be reopened and plaintiff's complaint taken under advisement for a determination whether any portion of his complaint must be dismissed as frivolous or malicious, for failure to state a claim upon which relief may be granted or because plaintiff is seeking damages from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

Entered this 30th day of May, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge